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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,974	09/18/2003	Mark E. Deem	022128-000300US	5366
20350	7590	02/17/2006		
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER PEFFLEY, MICHAEL F	
			ART UNIT	PAPER NUMBER
			3739	

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Interview Summary	Application No.	Applicant(s)	
	10/665,974	DEEM ET AL.	
	Examiner	Art Unit	
	Michael Peffley	3739	

All participants (applicant, applicant's representative, PTO personnel):

(1) James Heslin. (3) _____

(2) Michael Peffley. (4) _____

Date of Interview: 13 February 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: Claim 18.

Identification of prior art discussed: Chanduszko et al and Ginn et al.


Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant argued that Ginn et al failed to teach applying energy directly to the clip member to effect closure of the tissue and there would be insufficient motivation to combine the Ginn et al teaching with the Chanduszko et al reference. The examiner would further consider these argument after reviewing the Chanduszko et al reference in more detail and a follow-up interview would be granted to discuss the arguments again.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required